

THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ROCHE DIAGNOSTICS GMBH,  
and

ROCHE DIAGNOSTICS CORPORATION,

Opposers,

v.

MEDLINE INDUSTRIES, INC.,

Applicant.



04-23-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #70

Proceeding No. 150,863

**MOTION WITH CONSENT FOR EXTENSION  
OF TIME TO ANSWER OR OTHERWISE PLEAD**

Medline Industries, Inc., with the consent of the opposers, Roche Diagnostics GMBH and Roche Diagnostics Corporation, hereby requests a thirty (30) day extension of time to answer or otherwise plead to the Notice of Opposition in the above matter, to **June 2, 2002**.

This extension is requested to allow the parties additional time to attempt to negotiate a settlement that may resolve the opposition.

Counsel for Roche Diagnostics GMBH and Roche Diagnostics Corporation,  
Gerald W. Roberts, consented to this extension in a telephone conversation on April 22, 2002.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,  
HILLIARD & GERALDSON

By:

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Attorneys For Applicant

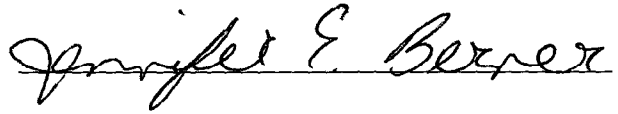
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"Express Mail" Mailing Label No: EL 930526191 US Date of Deposit: April 23, 2002

I hereby certify that the document to which this Certificate is affixed is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: BOX TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22204-3513 on the Date of Deposit shown above.

*Detlev C. Aguirre*

**CERTIFICATE OF SERVICE**

I, Jennifer E. Berner, attorney for Applicant, hereby certify that a copy of the foregoing MOTION WITH CONSENT FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD has been served upon Gerald W. Roberts, Esq., Bose McKinney & Evans LLP, 2700 First Indiana Plaza, 135 North Pennsylvania Street, Indianapolis, Indiana 46204 this 23<sup>rd</sup> day of April, 2002 by first class mail, postage prepaid.



TTAB

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April 23, 2002

**VIA EXPRESS MAIL**

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04-23-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #70

Re: ACCUCARE  
Serial No.: 76/210,082  
Proceeding No.: 150,863  
Our Reference No.: 00786-00013

Dear Sir:

Enclosed please find:

1. An original and two copies of a Motion With Consent For Extension Of Time To Answer Or Otherwise Plead; and
2. A stamped, self-addressed postcard, which we request be stamped with the date of receipt and returned to us.

Sincerely,

*Jennifer E. Berner*

JEB:la  
Enclosure

TRADEMARK TRIAL AND  
APPEAL BOARD  
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